

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-2 and 4-9 will be pending. By this amendment, claim 3 has been canceled; and claims 1, 2, and 9 have been amended. No new matter has been added.

§102 Rejection of Claims 1-3 and 6-9

In Section 8 of the Office Action, claims 1-3 and 6-9 stand rejected under 35 U.S.C. §102(e) as being anticipated by Yamauchi *et al.* (U.S. Patent No. 6,047,103; hereinafter referred to as “Yamauchi”). Claims 1 and 9 have been amended to address the rejection.

In the Background section of the Specification, it was stated that “[u]sers who stored desired music data into a portable device can disconnect it from the personal computer and carry it about to reproduce the music data at any desired places.” *Background of the Specification, page 1, lines 21-24*. “Some portable devices are adapted to detachably accommodate a memory card such as the Memory Stick (trademark) for storing music data. ... However, storing music data into a memory card which cross-authenticates with a portable device must load this memory card into this portable device connected to a personal computer before storing music data, thereby requiring cumbersome operations.” *Background of the Specification, page 2, lines 1-13*. Therefore, the Background section indicates that the portable device must be connected to the computer to cross authenticate the computer with the portable device and allow the computer to download the (copyrighted) data from the computer to the memory card.

To address the above-described shortcomings of the conventional configuration,

embodiments of the present invention provide a capability for enabling the general purpose computer to store copyrighted data from the internal storage means directly into the external storage medium without the use of intermediary external equipment such as a portable device upon successful cross authentication between the computer and the external storage medium. For example, the structure of a general-purpose computer of claim 1, as presented herein, has a central processing unit for executing predetermined processing as instructed by a program stored in an internal storage means in the general-purpose computer, and includes:

“a loading means, which is integrally arranged on a case of said general-purpose computer, for detachably accommodating an external storage medium for storing copyrighted data;

a cross-authentication means for cross-authenticating said general-purpose computer with said external storage medium through said loading means;

a control means for enabling the general purpose computer to store said copyrighted data from said internal storage means directly into said external storage medium without the use of intermediary external equipment such as a portable device upon successful cross authentication by said cross-authentication means; and

a reproduction means for reproducing data read from said external storage medium,

wherein said cross-authentication means, said control means, and said reproduction means are each constituted by a dedicated circuit which operates independently of said central processing unit.”

(emphasis added)

In summary, the general-purpose computer includes a loading means, a cross-authentication means, a control means, and a reproduction means, wherein the control means enables the general purpose computer to store copyrighted data from the internal storage means directly into the external storage medium without the use of intermediary external equipment such as a portable device upon successful cross authentication by the cross-authentication means.

See specification, page 57, line 19 to page 58, line 5.

By using the general-purpose computer of claim 1, copyrighted data (e.g., music data) can be directly downloaded from the computer into an external storage medium such as a memory card without the need for connecting the portable device because the cross authentication is done directly between the general-purpose computer and the memory card. Further, the cross-authentication means, the control means, and the reproduction means are each constituted by a dedicated circuit which operates independently of the central processing unit in the general-purpose computer. Thus, a user only needs to carry the memory card to download copyrighted data from a computer.

By contrast, Yamauchi states that “[a] data transmitting device capable of performing copyright protection processing” includes “an authentication section for authenticating whether [or] not the data receiving device is a proper data receiving device having a function of converting digital data into video data based on authentication data output from the data receiving device.” *Abstract of Yamauchi*. The authentication section of Yamauchi only verifies that the data receiving device is a proper data receiving device. Thus, using the data transmitting device of Yamauchi would require the connection of the data receiving device (i.e., the portable device) in order to authenticate that the proper data receiving device is connected. The general-purpose computer of claim 1 is configured to address the shortcomings of the conventional configuration, such as in a configuration where the connection of the portable device is required.

Based on the foregoing discussion, it is maintained that claim 1 should be allowable over Yamauchi. Since claim 9 closely parallels, and includes substantially similar limitations as, claim 1, claim 9 should also be allowable over Yamauchi. Further, since claims 2 and 6-8 depend from claim 1, claims 2 and 6-8 should also be allowable over Yamauchi. Claim 3 has

been canceled.

Accordingly, it is submitted that the Examiner's rejection of claims 1-3 and 6-9 based upon 35 U.S.C. §102(e) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 4 and 5

In Sections 17 and 18 of the Office Action, claims 4 and 5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yamauchi, in view of Doi (U.S. Patent No. 5,432,947).

Based on the foregoing discussion regarding claim 1, and since claims 4 and 5 depend from claim 1, claims 4 and 5 should also be allowable over Yamauchi. Further, it was stated in Section 17 that Doi teaches that supply voltages to any device can be individually controlled. Thus, Yamauchi and Doi, in combination or individually, fail to teach or suggest all the limitations of claims 4 and 5. Therefore, claims 4 and 5 should be allowable over the combination of Yamauchi and Doi.

Accordingly, it is submitted that the Examiner's rejection of claims 4 and 5 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-2 and 4-9 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over

the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

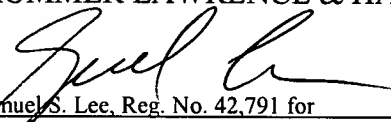
In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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